

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

ELLOYD JOHNSON
PETITIONER,

V.

CIVIL ACTION NO. 9218 CV 85

SEPARATE ENTRY CIV. ACTION NO. ? ? ? ?

TEXAS BOARD OF PARDONS AND PAROLES,
RESPONDENT.

OBJECTION TO THE MAGISTRATE'S R. R. ENTRY
CIVIL ACTION RESPONDENT'S NAME APPEARANCE

I M P R O P E R

PETITIONER MOVES IN COMPLIANCE WITH 28 U.S.C. § 636 OF FRCP IN ORDER
TO PROCEED PROPERLY UNDER SHOW CAUSE ORDER WHERE THE RESPONDENT
IS IMPROPER AND THE CLERK OF THE COURT HAVE FAILED TO ASSIGN
A NEW CIVIL ACTION NUMBER.

BRIEF HISTORY OF CASE

PETITIONER FILED IN THIS U.S. DISTRICT COURT UNDER CIV. ACTION NUMBER
9218-CV-85 WHERE THIS COURT "ORDERED THAT CLAIMS CONCERNING THE
TEXAS BOARD OF PAROONS AND PAROLES DECISION TO DENY
PETITIONER MANDATORY SUPERVISION" WAS SEVERED...

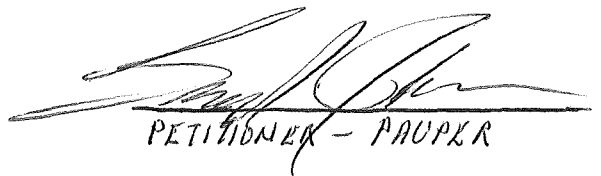
LEGAL ANALYSIS

FEDERAL RULES OF CIVIL PROCEDURE 21 ALLOWS THE COURT TO SEVER CLAIMS BROUGHT IN THE SAME ACTION. SEE HAMMONS V. ADAMS 786 F.2d 1253 (5TH CIR. 1986) THE U.S. DISTRICT COURT MAGISTRATE ORDERED⁶⁶ THE CLERK OF THE COURT IS DIRECTED TO A NEW CIVIL ACTION NUMBER AND ASSIGN THE NEW PETITION ACCORDING TO THE REGULAR PRACTICE FOR ALLOTMENT OF NEWLY FILED CIVIL ACTION. ALL CLAIMS CONCERNING PETITIONER'S DISCIPLINARY ACTION IN #20180080762 SHALL REMAIN IN THE ABOVE STYLED CAUSE NUMBER⁶⁷ WHICH HAVE NOT BEEN CONDUCTED AT THIS TIME. WHATS EXTRAORDINARY IN THE PROCEEDINGS OF THE SHOW CAUSE ORDER AND THE MAGISTRATE'S R.R. REGARDING DEFAULT IS THE FACT THAT TEXAS BOARD OF PARDONS AND PAROLES IS NOT DOCUMENTED UNDER ORDERED RESPONDENT NAME OR TITLED?

THE PROPER FORM OF ADDRESSING THE NEW-FILED CIVIL ACTION ON BY ORDER OF THE COURT ON MAY 31, 2018 HAS NOT BEEN CONDUCTED OR PROCESSED AS... MAGISTRATE'S ORDER OVER A YEAR¹?? AS TEXAS BOARD OF PARDON AND... PAROLES TO PERSERVE IN A RELATIVELY PERMANENT FORM AS THE SOLE RESPONDENT OR CIVIL ACTION NUMBER AS ORDERED BY MAGISTRATE?

CONCLUSION

FOR THE FOREGOING REASONS SET OUT IN THIS⁶⁸ OBJECTION TO THE MAGISTRATE'S REPORT AND RECOMMENDATION ENTRY CIVIL ACTION RESPONDENT'S NAME... APPEARANCE IMPROPER⁶⁹ PETITIONER ASK THIS U.S. DISTRICT COURT TO COME IN COMPLIANCE WITH THE MAGISTRATE'S PREVIOUS FILED ORDER ON MAY 31, 2018 BY GRANTING RELIEF SOUGHT SUA SPONTE OR GRANTING PETITIONER'S MOTION FOR DEFAULT JUDGMENT SUA SPONTE.


PETITIONER - PAUPER

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

OFFICE OF THE CLERK

SEPT. 10. 2019

HONORABLE UNITED STATES DISTRICT COURT, EASTERN DISTRICT, DAVID A. O'TOOLE, CLERK.
UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF TEXAS
104 NORTH THIRD STREET
LUFKIN, TEXAS 75901

RE: ELLOYD JOHNSON V. TEXAS BOARD OF PARDONS AND PAROLES
SEPARATE CIVIL ACTION NO. 9:18-CV-85

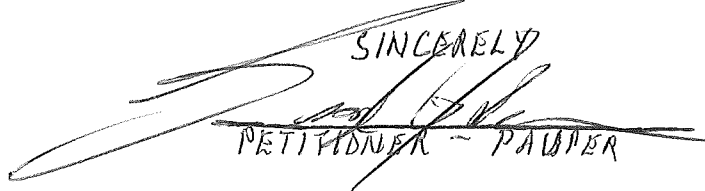
DEAR MR. O'TOOLE :

ENCLOSED FOR FILING IS PETITIONER'S "OBJECTIONS TO THE MAGISTRATE'S
REPORT AND RECOMMENDATION ENTRY CIVIL ACTION RESPONDENT'S
NAME APPEARANCE IMPROPER"

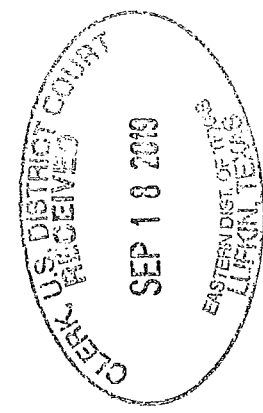
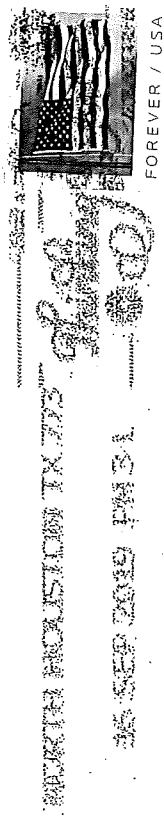
PLEASE GIVE NOTICE UPON RECEIPT.

THANK YOU RESPECTFULLY FOR YOUR ASSISTANCE.

^{c/}_c PROVIDED UPON REQUEST
EJ

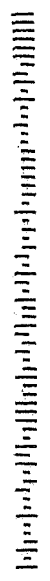
SINCERELY

PETITIONER - PAUPER

ELLOYD JOHNSON #840854
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
104 N. THIRD ST.
LUFKIN, TEXAS 75901

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